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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SECURITIES AND EXCHANGE COMMISSION,
 	
                              Plaintiff,
 	
          v.
 	
SILICONSAGE BUILDERS, LLC aka SILICON SAGE BUILDERS and SANJEEV ACHARYA,
 	
                              Defendants.
	Case No. 3:20-cv-09247-SI
	
	[~~PROPOSED~~] **ORDER GRANTING MOTION OF RECEIVER, DAVID STAPLETON, FOR ORDER POOLING ASSETS AND LIABILITIES BECAUSE THE RECEIVERSHIP ENTITIES OPERATED AS A UNITARY ENTERPRISE**
	
	[Memorandum of Points and Authorities and Declarations of Quintin Brown and David Stapleton in Support Thereof Filed Concurrently]

The hearing on the *Motion of Receiver, David Stapleton, for Order Pooling Assets and Liabilities Because the Receivership Entities Operated as A Unitary Enterprise* was vacated and decided on papers submitted without oral argument. No oppositions were filed. For the reasons set forth in the Motion and the declarations submitted in support and as stated on the record,

          IT IS ORDERED AS FOLLOWS:

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2930467.1

ORDER

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1   (1)   The Motion is granted;

2   (2)   The assets and liabilities of the Receivership Entities shall be pooled,

3   except that this shall not affect valid liens that are secured by property of the

4   Receivership Estate; and

5   (3)   The pooling of liabilities is without prejudice to the ability of the Balbach

6   Investor Group to raise the issue of how the assets are distributed in connection with the

7   Receiver's distribution plan.

8

9   Dated: February 13, 2023

10

11   SUSAN ILLSTON
     United States District Judge

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ORDER